



ILLINOIS COMMERCE COMMISSION

April 27, 2004

County of Coles,
Petitioner,

Vs.

Canadian National/Illinois Central Railroad Company and the State of Illinois,
Department of Transportation,
Respondents.

T04-0040

Petition for an Order regarding a separation of grades and construction of a new bridge to replace an existing at grade crossing carrying County Highway 18 (County Road 1000 North), County of Coles, Illinois, over the tracks of said Canadian National/Illinois Central Railroad Company, apportioning cost thereof and directing an appropriate portion thereof to be borne by the Grade Crossing Protection Fund.

Mr. James A. Bennett
Ryan, Bennett, Radloff & O'Brien
300 Richmond Avenue East
Mattoon, IL 61938

Dear Mr. Bennett:

Receipt is acknowledged of the original and three (3) copies of the Petition filed April 27, 2004 in the above matter.

All future correspondence/pleadings should be filed with an original and two (2) copies and addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission, 527 E. Capitol Avenue, Springfield, IL 62701 or you may file electronically through E-Docket if you have an account. To apply for an account, please log on to www.icc.state.il.us and apply for an E-docket account.

Processing and Information Section

kl

cc: Mr. Victor A. Modeer, IDOT
Mr. Michael Barron, IC
Mr. Frederick Sherer, Coles County

ORIGINAL

STATE OF ILLINOIS
BEFORE THE
ILLINOIS COMMERCE COMMISSION

RECEIVED
APR 27 2004

Illinois Commerce Commission
RAIL SAFETY SECTION

COUNTY OF COLES,

T04-0040

Petitioners,

vs.

CANADIAN NATIONAL / ILLINOIS CENTRAL RAILROAD COMPANY

and

THE STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

Respondents,

Petition for an Order regarding a separation of grades and construction of a new bridge to replace an existing at grade crossing carrying County Highway 18 (County Road 1000 North), County of Coles, Illinois, over the tracks of said Canadian National / Illinois Central Railroad Company, apportioning cost thereof and directing an appropriate portion thereof to be borne by the Grade Crossing Protection Fund.

DOCKETED

APR 27 2004

PETITION

TO THE ILLINOIS COMMERCE COMMISSION:

The Petitioner, COUNTY OF COLES, respectfully represents to the Commission the following:

1. The Petitioner has jurisdiction under the laws of the State of Illinois, being the Illinois Highway Code and Illinois Municipal Code, over County Highway 18 (hereinafter referred to as "CH 18") a part of the Coles County Highway System, which carries local and regional traffic across the Canadian National / Illinois Central Railroad Company (hereinafter referred to as "the railroad") tracks in Section 1, Township 12 North, Range 7 East; Section 6, Township 12 North, Range 8 East; and Section 31, Township 13 North, Range 8 East of the Third Principal Meridian and proposes a grade separation structure be constructed to replace the existing at-grade (AARDOT #289-137V) crossing at the location shown on Exhibit 'A' attached hereto and made part thereof.
2. The one mainline track of the railroad is oriented in a north and south direction intersecting CH 18 in the County of Coles, Illinois.
3. Coles County is upgrading CH 18 to a major collector, as part of a project that will connect U.S., Route 45 north of Mattoon and Illinois Route 130 north of Charleston to a new interchange on Interstate 57.
4. The current average daily traffic is 2,300 vpd (10% trucks) and the train traffic volume is 21 freight trains per day and 4 Amtrak tpd. Traffic, especially industrial traffic, is expected to increase to 5,100 vpd by 2025 due to the roadway improvements.
5. The maximum train speed at the project location is 60 mph for freight and 79 mph for passenger. The average train speed is 50 mph.
6. The existing at-grade crossing, AAR DOT #289-137V, is a 55' wide concrete crossing that has automatic flashing light signals with gates and a center median designed to accommodate a two lane road. The railroad tracks and CH 18 intersect at a 66-degree angle.
7. The railroad tracks run just east of and parallel to US Rte 45 through the project. Existing CH 18 traffic must stop at the intersection of US Rte 45. This creates a potentially dangerous situation because there is not enough vehicle storage between US Rte 45 and the railroad tracks to accommodate

vehicles waiting to pull onto US Rte 45. The completion of the CH 18 - I-57 interchange project will eliminate the potential for vehicle-train grade crossing accidents and the regular delays for traffic at the at-grade crossing, thus justifying the need for a grade separation.

8. The railroad request that a bridge over its tracks be designed and constructed 15 feet longer than required per guidelines provided by the railroad in order to accommodate another set of tracks adjacent to the existing tracks in the future.
9. The geometric and general information for the proposed roadway improvement for CH 18 are detailed in Exhibit 'B' which is attached hereto and made part thereof.
10. The Petitioner proposes the reconstruction of CH 18 with a grade separation structure for CH 18 over the railroad tracks and US Rte 45 approximately 65' south of the existing crossing and agrees to perform design, permitting, land acquisition, and construction of a 316 foot, 2-span bridge with sufficient clearance to accommodate a second track at 15 feet east of the existing track, and provide for the public health, safety, welfare, and convenience for vehicles in the manner and on the terms as shown on the project plans and specifications for CH 18 which are made part hereof by reference thereof. The structure meets the required 23 feet vertical clearance requirements. The estimated cost for the project is \$ 8.0 million. The project costs are shown in Exhibit 'C' attached hereto and made part thereof.
11. The Petitioner request that the project include construction of a jughandle roadway connecting CH 18 and US Rte 45 west of the proposed grade separation structure, and reconstruction of US Rte 45 to eliminate the existing CH 18 - US Rte 45 intersection and replace it with an intersection at the jughandle. The grade separation structure will eliminate the existing intersection of CH 18 and US Rte 45 making the jughandle roadway and new turn lane construction on US Rte 45 an integral part of the project.
12. The Petitioner requests that the existing at grade vehicle crossing be closed upon completion of the project.
13. Various Coles County Board Resolutions have been passed and several State/County agreements have been executed toward furthering the proposed grade separation project as an integral part of the larger project to construct a new interchange on I-57 and a connector road to link the new interchange with US Rte 45 on the west and IL Rte 130 on the east. These

Resolutions and Agreements are attached in Exhibit "D" and include County Board Resolution authorizing County funding for a Feasibility Study for a new I-57 interchange, dated 7/14/98; County Board Resolution authorizing engineering for a Location Study for a new interchange on I-57, dated 5/11/99; County Board Resolution authorizing Start Up engineering for construction documents for a new interchange and connector roadway, dated 3/19/02; County Board Resolution authorizing engineering for construction documents for the entire I-57 interchange and connector road, dated 7/2002; County Board Resolution obligating Motor Fuel Tax funds for its share of the cost of preliminary engineering for a new interchange and connector roadway, dated 1/14/03; Agreement between Coles County and the Illinois Department of Transportation obligating the State to pay for 50% of start up preliminary engineering costs, executed 6/14/02; Agreement between Coles County and the Illinois Department of Transportation obligating the State to pay for 50% of total preliminary engineering costs, executed 10/25/02; Agreement between Coles County and the Illinois Department of Transportation obligating the State to pay for 50% of right of way costs, executed 12/02/02; these documents indicate the desire and intent of the Coles County Board, the Illinois Department of Transportation, and the Federal Highway Administration that the Project be constructed and authorize the Coles County Highway Department and the Illinois Department of Transportation to take the necessary steps to construct the Project.

14. Petitioner has coordinated with the railroad to develop an agreement between the petitioner and the railroad regarding the project, and states further that an agreement is pending at the time of filing.

WHEREFORE, Petitioner prays that the Illinois Commerce Commission hold a hearing to the extent and the method as may be necessary and proper, and enter such Order, pursuant to subsection (3) of Section 18c-7401 of "The Illinois Commercial Transportation Law", effective January 1, 1986, as amended (625 ILCS 5/18c-7401), regarding a separation of grades by construction of the subject bridge crossing, and closure of the existing grade crossing, apportioning costs thereof, directing an appropriate portion thereof to be borne for the benefit of the state wide traveling public by the railroad and by the Grade Crossing Protection Fund and directing reimbursement in relation thereto when the fund becomes available, all as may be necessary to preserve, promote and protect the safety and convenience of the public in the premises herein described.

The Petitioner further specially requests that all necessary steps be taken by the Illinois Commerce Commission to expedite, accelerate and advance upon its docket for immediate consideration, the matter of the Petition.

Respectfully submitted,

THE COUNTY OF COLES, ILLINOIS

By:

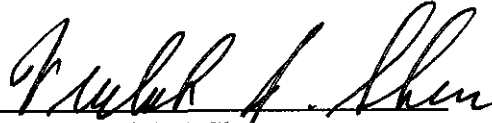

Frederick J. Sherer
County Engineer

EXHIBIT "A"

SHEET 1 OF 4

LOCATION MAP COUNTY HIGHWAY 18 (C. RD. 1000N)

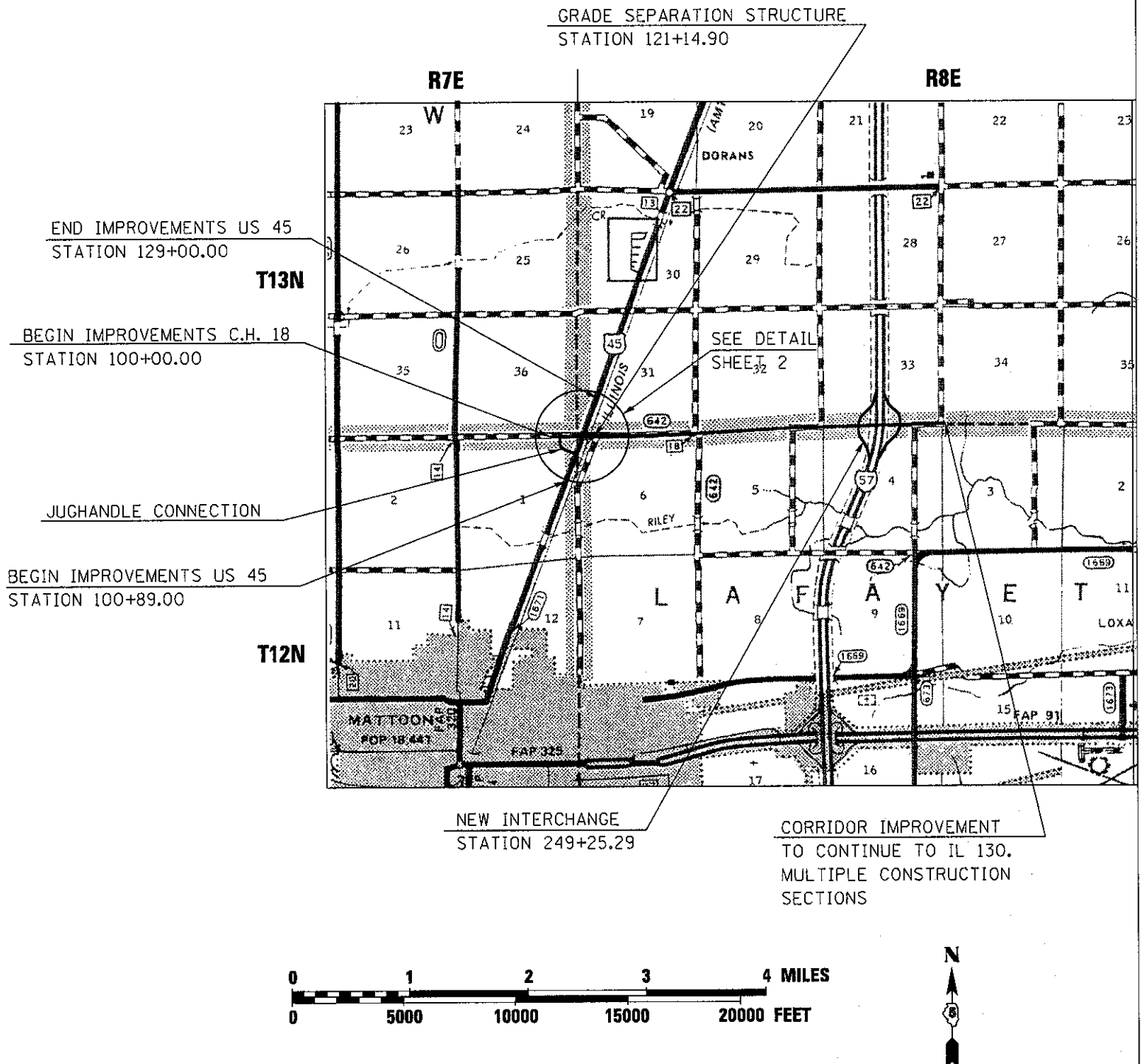


EXHIBIT "A"

SHEET 3 OF 4

County Highway 18 railroad crossing looking west. U.S. Rte 45 is in the background.

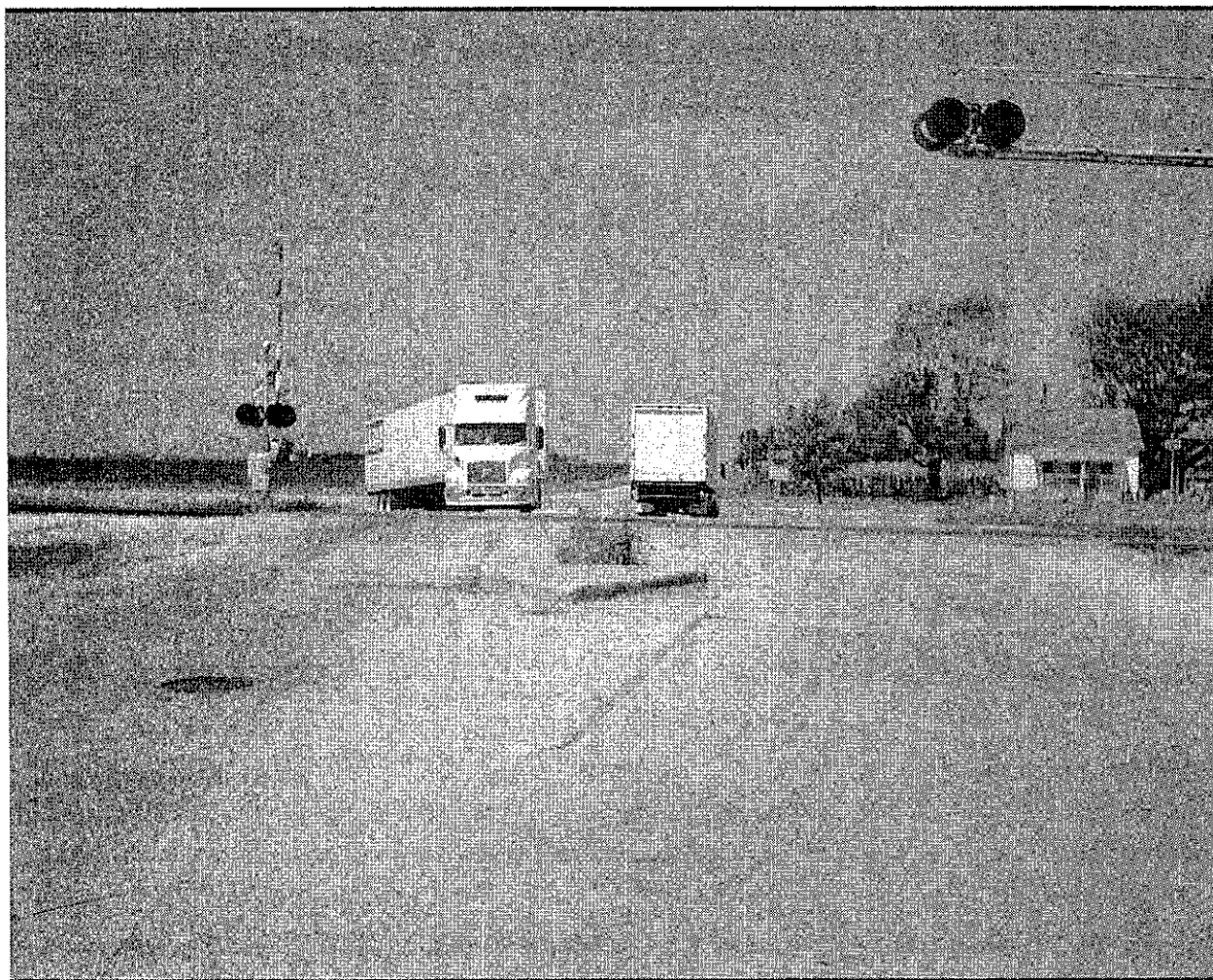


EXHIBIT "A"

SHEET 4 OF 4

County Highway 18 railroad crossing looking east. U.S. Rte 45 is in the foreground.

